

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

ALI SADR HASHEMI NEJAD,

*Defendant.*

Case No. 18 Cr. 224 (ALC)

**JOINT STATUS REPORT**

The parties respectfully submit this joint status report. Since the filing of the last status report on December 20, 2018 (Dkt. 74), the USAO Filter Team<sup>1</sup> has continued to work with Sadr to implement the joint privilege review plan. The USAO Filter Team and Sadr have segregated the emails based on an agreed-upon list of attorneys and law firms. Sadr has agreed that he does not currently assert privilege with respect to emails that do not hit on any of the attorneys or law firms on the list or have not been otherwise identified as potentially privileged.<sup>2</sup>

On February 12, 2019, to help Sadr prepare for trial, the USAO Filter Team gave Sadr cross-references to the DANY Processed Returns for approximately 74,616 of the 100,865 documents in the USAO production. Despite the best efforts of the USAO Filter Team and its contractors, it was not possible to provide cross-references for the remaining 26,249 due to multiple, uncorrectable processing issues with the DANY production of those documents. Thus,

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<sup>1</sup> The defined terms herein have the same meaning as set forth in the November 15, 2018 joint status report (Dkt. 71).

<sup>2</sup> The Government agrees that the inadvertent release of a privileged document would not constitute waiver, and that the defense could immediately claw back the privileged document.

the USAO Filter Team provided cross-references for approximately 75,000 documents out of the approximately 400,000 documents in the DANY Processed Returns.

The USAO Filter Team and Sadr will continue to review the documents that hit on one or more of the agreed-upon search terms or that Sadr has otherwise identified as potentially privileged. While the parties will attempt to resolve all privilege assertions in the first instance, the parties believe, based on current discussions, that the Court may be asked to resolve disputes with respect to certain categories of documents.

Respectfully submitted,

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